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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **OAKLAND DIVISION**
17

18 JUST FILM, INC.; ET AL.,

19 Plaintiffs,

20 v.

21 MERCHANT SERVICES, INC.; ET AL.,

22 Defendants.
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CASE NO. CV 10-01993 CW

JOINT STIPULATION AND ORDER TO
RESET DEADLINES FOR EXPERT
DISCLOSURE

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28 CaseNo.C10-1993CW

JOINT STIPULATION AND ORDER TO RESET DEADLINES FOR EXPERT DISCLOSURE

1 WHEREAS, pursuant to the Stipulation dated April 24, 2012 (dkt. # 363) and the Order
 2 dated April 30, 2012 (dkt # 367) (the "April 2012 Order") the deadlines for expert disclosure
 3 and/or reports is February 22, 2013; rebuttal disclosure and/or reports is March 22, 2013; the
 4 completion of fact and expert discovery is April 19, 2013; and the Case-Dispositive Motion
 5 Hearing and Case Management Conference is June 27, 2013;

6 WHEREAS, the Order was made before Plaintiffs' motion for leave to file a third amended
 7 complaint, which was ultimately granted, in part, and denied in part, via order dated December 6,
 8 2012 (dkt # 427) (the "December 2012 Order"), pursuant to which the Court reset the previously
 9 vacated deadlines for opposition to Plaintiffs' pending motion for class certification as follows:
 10 Plaintiffs' amended motion for class certification due December 13, 2012; Defendants' opposition
 11 to Plaintiffs' amended motion for class certification due January 24, 2013 (thereafter extended to
 12 January 31, 2013 (dkt # 434)); Plaintiffs' reply due February 14, 2013; with a hearing on
 13 Plaintiffs' motion for class certification, and case management conference, on March 7, 2013.

14 WHEREAS, under the December 2102 Order, a new case management statement is due on
 15 or before February 28, 2013, which is four days after the current deadline for expert disclosures
 16 under the February 2012 Order.

17 WHEREAS, in light of the foregoing and to afford the parties adequate time to prepare
 18 expert disclosure and reports relevant to any and all issues that may require expert opinion(s) and
 19 discovery thereon, the parties have agreed to extend the current schedule governing expert
 20 disclosure as follows:

- 21 • Expert disclosure and/or reports from February 22, 2013 to September 12, 2013
- 22 • rebuttal disclosure and/or reports from March 22, 2013 to October 24, 2013
- 23 • completion of fact and expert discovery from April 19, 2013 to November 21,
 24 2013
- 25 • Case-Dispositive Motion Hearing and Case Management Conference from June
 26 27, 2013 to March 14, 2014;

27 WHEREAS, three prior extensions with respect to deadlines set forth above have been

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made;

WHEREAS, the parties intend for March 7, 2013 Case Management Conference and Class Certification hearing to remain as scheduled;

NOW, THEREFORE, IT IS STIPULATED, by and between the undersigned parties through their respective counsel of record, that the Court modify the April 2012 Order as follows:

- Expert disclosure and/or reports due September 12, 2013;
- rebuttal disclosure and/or reports due October 24, 2013;
- completion of fact and expert discovery by November 21, 2013; and
- Case-Dispositive Motion Hearing and Case Management Conference from June 27, 2013 to March 14, 2014.

DATED: February 15, 2013

Respectfully submitted,

MOSES & SINGER LLP

By /s/ Jennifer Nigro
Jennifer Nigro

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By: /s/ Kristen Simplicio
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Attorneys for Plaintiffs

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2 **IT IS SO ORDERED. Case-Dispositive Motion Hearing and Case Management Conference**
3 **will be held on Thursday, March 13, 2014, at 2:00 p.m.**

4 DATED: 2/21/2013

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